

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, October 26, 2004, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: Supervisors Silva, Campbell, Norby and Wilson

EXCUSED: Supervisor Smith

PRESENT:	COUNTY EXECUTIVE OFFICER	Thomas G. Mauk
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Susan Novak, Chief Deputy

INVOCATION: Supervisor Norby, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Silva, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Supervisor Norby presented a resolution proclaiming October 2004 as "Lupus Awareness Month"

Supervisor Norby presented a resolution commending City of Placentia Police Chief Russell Rice for his years of volunteer service

Supervisor Campbell - Municipal Water District of Orange County presented a grant to County Watershed and Coastal Resources Division for public education at Santiago Oaks Regional Park

Chairman Wilson presented a resolution commending and congratulating James D. Ruth for his lifetime of contributions to Southern California residents

Supervisor Silva presented a resolution recognizing and congratulating Ralph Velez for the enhancement of "Palm Island" in Mile Square Regional Park in City of Fountain Valley

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II. CONSENT CALENDAR (Items 1-15)

32145
X

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 12 WHICH WAS CONTINUED TO 11/9/04, 9:30 A.M.; AND ITEM 14 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE

BOARD APPOINTMENTS

1. **Supervisor Silva** - Orange County Public Facilities Corp. - Appoint Robert Main, Garden Grove, for term concurrent with 2nd District Supervisor's term of office

COMMENDATIONS/PROCLAMATIONS

2. **Supervisor Campbell** - Adopt resolution proclaiming October 30, 2004 as "Weatherization Day"
RESO: 04-287

JOHN WAYNE AIRPORT

3. Approve agreement with AE Consulting, Inc. for project management services on Taxiway E Rehabilitation project (\$95,000); and make California Environmental Quality Act findings - District 2

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

4. Approve price agreement N1000006271 with American Technologies, Inc. for asbestos removal and emergency decontamination services, 11/1/04 - 10/31/05 (\$25,000); renewable for two additional years; and make California Environmental Quality Act findings - All Districts
5. Authorize release of security for street improvements, street lights, sewer and water systems, and monumentation, Tract 16249, Barratt - Baywood II, LLC, Ladera Ranch area - District 5
6. Authorize release of security for street improvements, street lights, sewer and water systems, and monumentation, Tract 16248, Barratt - Baywood II, LLC, Ladera Ranch area - District 5
7. Approve price agreement N1000006347 with Willdan to provide nonstructural Code Enforcement services on the current case backlog, 10/26/04 - 10/25/05 (\$206,000); renewable for two additional years - All Districts
8. Approve Tract 15990, DMB Ladera LLC, Ladera Ranch area; accept easement for emergency over all of Lots BA through BD, public pedestrian and emergency access purposes as dedicated; and approve construction agreement S0704-0114 and accept bonds guaranteeing construction of improvements - District 5
9. Approve agreement 04-102-558-0 with State Water Resources Control Board for funding of organochlorine compound studies, San Diego Creek/Newport Bay watershed (\$188,254) - Districts 1, 2, 3 & 5
10. Approve price agreement N1000006325 with Coastal Building Services Inc. for janitorial services, Dana Point Youth & Group Facility and Sheriff's Harbor Patrol Building, 11/1/04 - 10/31/05 (\$26,400); renewable for two additional years; and make California Environmental Quality Act findings - District 5

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11. Approve price agreement N1000006327 with The Soto Company for landscape maintenance services, Aliso Beach facilities, 11/1/04 - 10/31/05 (\$29,398); renewable for two additional years; and make California Environmental Quality Act findings - District 5

PUBLIC PROTECTION

Sheriff-Coroner:

12. Receive and file annual Inmate Welfare Fund Expenditure Report, FY 2003-04 (\$5,336,144.20) - All Districts
32145 **CONTINUED TO 11/9/04, 9:30 A.M.**
X
13. Approve price agreement N1000006346 with Globalstar USA LLC for satellite telephone activation and service, 11/1/04 - 10/31/05 (\$5,400) - All Districts

GENERAL ADMINISTRATION

County Executive Office:

14. Approve two-year license with Diamond Parking, Inc. for fifty-three parking spaces for employees of Child Support Services, Santa Ana; and make California Environmental Quality Act findings - District 1
32145 **APPROVED AS RECOMMENDED**
X
15. Receive and file Orange County Business Council 2003-2004 Annual Report - All Districts

END OF CONSENT CALENDAR

S U M M A R Y A C T I O N M I N U T E S

III. DISCUSSION ITEMS (Items 16-S27C)

HEALTH CARE AGENCY

16. Receive oral update on the status of implementation of Integrated Records Information System - All Districts
B.O. **RECEIVED UPDATE**

JOHN WAYNE AIRPORT

17. Approve agreement with Geomatrix Consultants, Inc. for geoenvironmental and water quality services, three year term, effective 10/26/04 (\$306,000 per year); and make California Environmental Quality Act findings - District 2
25134 **APPROVED AS RECOMMENDED**
X
18. Consider first reading of "An Ordinance of the County of Orange, California Amending Title 2, Division 1, Airports, and Title 4, Division 13, Storm Water Management and Urban Runoff, of the Codified Ordinances of the County of Orange"; and set second reading and adoption for 11/9/04, 9:30 a.m.; and make California Environmental Quality Act findings - District 2
23145 **APPROVED AS RECOMMENDED**
X
19. Approve Change Order 9 with Gensler and Associates, Inc. for design of additional floor space and infrastructure for passenger screening checkpoints (\$94,823; new total \$404,467); and make California Environmental Quality Act findings - District 2
23145 **APPROVED AS RECOMMENDED**
X

PUBLIC PROTECTION

Sheriff-Coroner:

20. Approve amended agreement with All City Management Services for crossing guard services, extending term to 10/31/05 (\$450,000) - All Districts
32145 **APPROVED AS RECOMMENDED**
X
21. Approve agreements with cities of Anaheim and Santa Ana to transfer equipment or service for FY04 Urban Areas Security Initiative grant funding (\$4,845,000); authorize purchase of related equipment; approve amendment 4 to agreement S0000015.95 with Motorola, Inc., for 800MHz equipment; and make related budget adjustments (\$2,586,994) - All Districts (4/5 vote RA 3 & 4)
32145 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

County Executive Office:

22. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
DISCUSSED

S U M M A R Y A C T I O N M I N U T E S

23. **Acting as the Legislative Body of Community Facilities District No. 2004-1 (Ladera Ranch)** - Approve in concept Community Facilities District No. 2004-1 (Ladera Ranch) bond financing of public improvements and due diligence plan - District 5

53124
X **APPROVED AS RECOMMENDED**

24. Approve in concept conversion and remarketing of variable rate bonds to fixed interest rate bonds; designate a remarketing agent and select Conversion Financing Team; and approve amended agreements with Orrick Herrington & Sutcliffe LLP as Bond Counsel/Disclosure Counsel and Fieldman Rolapp & Associates as Financial Advisor, Assessment District 01-1 - District 5

52134
X **APPROVED AS RECOMMENDED**

25. **Registrar of Voters** - Receive and file Monthly Status Report regarding preparations for November General Election - All Districts

B.O. **RECEIVED ORAL REPORT**

Supervisor Campbell:

26. Authorize Resources and Development Management Department, Director or designee to negotiate acceptance of bridge commonly known as Hick's Haul Road Bridge, Santiago Canyon area; and direct staff to return to the Board with a draft agreement outlining terms of acceptance

32145
X **APPROVED AS RECOMMENDED**

27. Approve agreement with Irvine to indemnify the County for actions taken to comply with court order to correct the November 2, 2004 election ballot for Irvine City Council race

32145
X **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

- S27A. Second reading and adoption of "An Ordinance Amending Section 4-1-30 of the Codified Ordinance of the County of Orange, Enforcement" to update references to authorizing statutes - All Districts (Continued from 10/19/04, Item 49)

32145
X **APPROVED AS RECOMMENDED**

ORD: 04-013

GENERAL ADMINISTRATION

- S27B. **Chairman Wilson** - Adopt resolution proclaiming November 16, 2004 as "Prematurity Awareness Day" and commending March of Dimes for their efforts fighting this crisis

52134
X **APPROVED AS RECOMMENDED**

RESO: 04-288

S U M M A R Y A C T I O N M I N U T E S

S27C. **County Executive Office - Acting as the In-Home Supportive Services Public Authority -**
Approve amended FY 2003-2004 Memorandum of Understanding for extension of funding and
provisions through 11/30/04 for certain represented employees of the In-Home Supportive
Services (IHSS) Public Authority: United Domestic Workers of America (UDWA), NUHHCE,
AFSCME, AFL-CIO, - All Districts

53124 **APPROVED AS RECOMMENDED**
X

IV. PUBLIC HEARINGS (Items 28-29)

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

28. Public Hearing to consider adopting resolution approving annual adjustments of Local Parks In-
Lieu fees, unincorporated area - All Districts (Continued from 10/19/04, Item 64)

B.O. **CLOSED PUBLIC HEARING**

23145 **APPROVED AS RECOMMENDED**
X

RESO: 04-289

PUBLIC PROTECTION

29. **Sheriff-Coroner -** Public Hearing to consider approval of proposed use of 2004-05 State Citizens'
Options for Public Safety Program Supplemental Law Enforcement Services Funds; and approve
related budget adjustments - All District (4/5 vote RA 2 & 3)

B.O. **CLOSED PUBLIC HEARING**

35124 **APPROVED AS RECOMMENDED**
X

V. CLOSED SESSION (Items CS-1-CS-2)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -
Pursuant to Government Code Section 54956.9(a):
Name of Case: Bunker v. County of Orange, et al., Court of Appeal Case No. G029383; OCSC
Case No. 791799

B.O. **HELD, NO REPORTABLE ACTION**

CS-2. **Supervisor Silva -** PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to
Government Code Section 54957:

Title: Director of Internal Audit

B.O. **HELD, NO REPORTABLE ACTION**

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VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Darrell Nolta - Oral Re: Paper vs. electronic ballots

BOARD COMMENTS:

None

ADJOURNED: 12:10 P.M.

45123 Adjourned in memory of John "Jack" Armstrong
X

*** KEY ***

Left Margin Notes

- 1. = Supervisor Smith
- 2. = Supervisor Silva
- 3. = Supervisor Campbell
- 4. = Supervisor Norby
- 5. = Chairman Wilson

Right Margin Notes

- A. = Abstained
- X. = Excused
- N. = No
- BO = Board Order
- O. = Ordinance
- R. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

THOMAS W. WILSON, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board